Caution: DRAFT FORM

This is an advance draft copy of a California tax form. It is subject to change and FTB approval before it is officially released.

If you have any comments on this draft form, you can submit them to us on our website at www.ftb.ca.gov/forms/drafts/index.html.

2009 Corporation Estimated Tax

100-ES

For colondar year 2000 or fixed year beginning	month dou year	and anding m	anth day year
For calendar year 2009 or fiscal year beginning this entity will file Form (fill in only one circle): 0		, and ending m	
Return this form with a check or money order pay		Installment 1	Due by the 15th day of 4th month of taxable year; if due date falls on weekend/holiday, see instructions.
FRANCHISE TAX BOARD, PO BOX 942857, SA	CRAMENTO CA 94257-0531		If no payment is due, do not mail this form.
California corporation number FEIN	Contact telephone no).	Estimated Tax Amount
Corporation name			00
			QSub Tax Amount
Attention: Owner's or Representative's name			00
Address (including suite, room, or PMB no.)			00
Address (including suite, 100m, or FIND no.)			Total Installment Amount
City	State ZIP Code		
City	State ZIF Code	_	00
FET TAY DAY FR. DO NOT MAIL THIS FORM	61.01.000		Form 100 EC 2009
EFT TAXPAYER: DO NOT MAIL THIS FORM	6101093	ı	Form 100-ES 2008
DETACH HERE	IF NO PAYMENT IS DUE, DO NOT MA	AIL THIS FORM	— — — — DETACH HERE —
TAXABLE YEAR			CALIFORNIA FORM
		4	
2009 Corporation Es	timated Tax		100-ES
For calendar year 2009 or fiscal year beginning		, and ending m	nonth day year
This entity will file Form (fill in only one circle):			, , , , , , , , , , , , , , , , , , , ,
Return this form with a check or money order pay		Installment 2	Due by the 15th day of 6th month of taxable year, if due date falls on weekend/holiday, see instructions.
FRANCHISE TAX BOARD, PO BOX 942857, SA			If no payment is due, do not mail this form
California corporation number FEIN	Contact telephone no).	Estimated Tax Amount
Corporation name			. 00
			QSub Tax Amount
Attention: Owner's or Representative's name			20
Address (including suite, room, or PMB no.)			00
Address (including suite, room, or PMB no.)			Total Installment Amount
City	State ZIP Code		
City	State ZIF Code	_	00
FET TAY DAVED. DO NOT MAIL THIS FORM	5101000		Form 100 EC 2005
EFT TAXPAYER: DO NOT MAIL THIS FORM	6101093		Form 100-ES 2008
DETACH HERE	IF NO PAYMENT IS DUE, DO NOT MA	AIL THIS FORM	— — — — — DETACH HERE — X
TAXABLE YEAR			CALIFORNIA FORM
2009 Corporation Es	timated Tax		100-ES
		Total conditions	
For calendar year 2009 or fiscal year beginning		, and ending m	
This entity will file Form (fill in only one circle): O 1 Return this form with a check or money order pay		Installment 3	Due by the 15th day of 9th month of taxable year; if due date falls on weekend/holiday, see instructions.
FRANCHISE TAX BOARD, PO BOX 942857, SA			If no payment is due, do not mail this form
California corporation number FEIN	Contact telephone no).	Estimated Tax Amount
.			
Corporation name			00
			QSub Tax Amount
Attention: Owner's or Representative's name			
			00
Address (including suite, room, or PMB no.)			Total Installment Amount
			1
City	State ZIP Code		
	, , , [, [, . , .		
EFT TAXPAYER: DO NOT MAIL THIS FORM	6101093		Form 100-ES 2008

Form at bottom of page



TAXABLE YEAR CALIFORNIA FORM

Corporation Estimated Tax 2009

100-ES

For calendar year 2009 or fiscal year beginning month	day year	, and ending m	ionth day year
This entity will file Form (fill in only one circle): 0 100, 10		Installment 4	Due by the 15th day of 12th month of taxable year; if due date falls on weekend/holiday, see instructions.
Return this form with a check or money order payable to FRANCHISE TAX BOARD, PO BOX 942857, SACRAM			If no payment is due, do not mail this form.
California corporation number FEIN	Contact telephone no.		Estimated Tax Amount
Corporation name			
Corporation name			QSub Tax Amount
Attention: Owner's or Representative's name			GSub Tax Alliount
			00
Address (including suite, room, or PMB no.)	V		Total Installment Amount
City	State ZIP Code		
EFT TAXPAYER: DO NOT MAIL THIS FORM	6101093	ı	Form 100-ES 2008

Instructions for 2009 Form 100-ES

Corporation Estimated Tax

References in these instructions are to the Internal Revenue Code (IRC) as of January 1, 2005, and to the California Revenue and Taxation Code (R&TC)

General Information

Use California Revenue and Taxation Code (R&TC) Section 19011, Sections 19021 through 19027, and Sections 19142 through 19161 to determine the estimated tax requirement for California.

Use Form 100-ES, Corporation Estimated Tax, for the calendar year ending December 31, 2009, or fiscal years ending in 2010.

Fill in only one circle on Form 100-ES to indicate if the estimate payment is for Form 100, Form 100W, Form 100S, or Form 109.

If the entity does not owe any tax, do not send this form with a zero balance.

Definitions

Unless stated otherwise, the term "corporations," as used in Form 100-ES and in these instructions, includes banks, financial corporations, certain associations, regulated investment companies, real estate investment trusts, exempt organizations with unrelated business taxable income, exempt homeowners' associations with non-exempt function income, limited liability companies that have elected to be taxed as corporations for federal tax purposes, and S corporations.

R&TC Section 19023 defines tax, for purposes of California estimate payments, to include alternative minimum tax, S corporation taxes from Schedule D (100S) and from the excess net passive income, the Qualified Subchapter S Subsidiary (QSub) annual tax, credit recapture, and the minimum franchise tax. This definition of tax does not conform to the federal definition of tax. Also, taxable income for S corporations includes the R&TC Section 23802(e) deduction for passive investment income and built-in gains.

LIFO Recapture Tax

For taxable years beginning on or after January 1, 2006, California conformed to federal tax law in excluding the annual payments of the last in-first out (LIFO) recapture tax from the computation of estimated tax. Therefore, LIFO recapture amounts are not included in the computation of an estimated tax underpayment penalty.

Electronic Funds Transfer (EFT)

Corporations that meet certain requirements must remit all of their payments through EFT rather than by paper checks to avoid the EFT penalty. Corporations that remit an estimated tax payment or extension payment in excess of \$20,000 or that have a total tax liability in excess of \$80,000 must remit all of their payments through EFT. The Franchise Tax Board (FTB) notifies corporations that are subject to this requirement. Those that do not meet these requirements and wish to participate on a voluntary basis may do so. For more information, go to our website at ftb.ca.gov and search for EFT, call 916.845.4025, or get FTB Pub. 3817, Electronic Funds Transfer Program Information Guide.

If the corporation is required to remit all of their payments through EFT and pays by another method, a 10% non-compliance penalty will be assessed.

Private Mail Box

Include the Private Mail Box (PMB) in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Round Cents to Dollars

Round cents to the nearest whole dollar. For example, round \$50.50 up to \$51 or round \$25.49 down to \$25. If the corporation does not round, the FTB will disregard the cents. This helps process the return quickly and accurately.

Who Must Pay Estimated Tax

One or more payments of estimated tax are required annually from each:

- Corporation incorporated or qualified under the laws of California or doing business in California. whether active, inactive, or having income from sources within California, unless otherwise provided by the Corporation Tax Law.
- Bank and national banking association doing business in California.
- Exempt organization or trust with unrelated business income.
- Exempt homeowners' association with non-exempt function income.

An S corporation that is a parent of a QSub is required to pay the \$800 annual tax for each QSub that is:

- Incorporated in California.
- · Qualified to do business in California.
- Doing business in California.

The QSub annual tax is due and payable when the S corporation's first estimated tax payment is due. If the QSub is acquired during the taxable year, the QSub annual tax is due with the S corporation's next estimated tax payment after the date of the QSub election. The QSub annual tax is subject to the estimated tax rules and penalties.

Enter in the space for QSub Tax Amount the total amount of QSub annual tax paid. Enter the estimated installment payment amount in the space for Estimated Tax Amount. Combine the two amounts and enter the total payment of both QSub annual tax and regular estimated tax in the space for Total Installment Amount.

Real estate mortgage investment conduits (REMICs) are not required to pay estimated tax. However, use this form to remit the minimum franchise tax due by the 15th day of the 4th month of the taxable year.

Financial asset securitization investment trusts (FASITs) are subject to the \$800 minimum tax. Get Form 100, California Corporation Tax Booklet, for more information.

Where to Mail Estimated Tax

Make the check or money order payable to the "Franchise Tax Board." Write the California corporation number and "2009 Form 100-ES" on the check or money order.

Enclose, but do **not** staple, the payment with this form and mail to:

FRANCHISE TAX BOARD PO BOX 942857 **SACRAMENTO CA 94257-0531**

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

Installment Due Dates and Amounts

Newly Formed or Qualified Corporations. The estimated tax is payable in four installments. The installments are due and payable by the 15th day of the 4th, 6th, 9th, and 12th month of the taxable year. The amount of each installment is 25% of the total estimated tax due (estimated income multiplied by the appropriate tax rate). When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

Franchise Tax Filers. If the amount of the estimated tax exceeds the minimum franchise tax and the QSub annual tax (if applicable), then the estimated tax is payable in four installments. The installments are due and payable by the 15th day of the 4th, 6th, 9th, and 12th month of the taxable year. The amount of each installment is equal to at least 25% of the total estimated tax due (except for minimum tax filers). If the amount of estimated tax does not exceed the minimum franchise tax plus the QSub annual tax, then the entire amount of the minimum tax and the QSub annual tax is due as an estimate on or before the 15th day of the 4th month of the corporation's taxable year. If an S corporation acquires a QSub during the taxable year, but after the due date of the first estimate installment, the QSub annual tax is due with the next required installment after the acquisition of the QSub. When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

Income Tax Filers. The amount of the estimated tax is payable in four installments. The installments are due and payable by the 15th day of the 4th, 6th, 9th, and 12th month of the taxable year. When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

Short-period filers: A corporation with an accounting period of less than 12 months (short period) must pay estimated tax in the number of installments shown in the table on page 4.

To compute estimated tax installments, multiply the estimated net income for tax purposes by the applicable rate:

- Corporations, use 8.84%.
- S corporations, use 1.5%.
- Banks and financial corporations, use 10.84%.
- Financial S corporations, use 3.5%.
- Exempt trusts, use personal income tax rate Schedule X (single) inside California 540 & 540A Personal Income Tax Booklet.

Overpayments From Prior Year Returns

The overpayment from a prior year return is credited as of the first estimate installment due date or the date of payment, whichever is later.

For more information, refer to federal Rev. Rul. 99-40, IRC Section 6513(b) (1) and (2), and the IRS Internal Revenue Manual 20.2.4.3 (03-01-2002).

Corporations may pay any estimated tax installment before the due date.

Underpayment or Late Payment

Generally, an underpayment of estimated tax is the difference between (1) the amount that would be due for each installment of estimated tax if the estimated tax was equal to 100% of the tax shown on the return, prorated to each installment, and (2) the amount actually paid or credited on or before the due date of that installment.

Underpayment or late payment of estimated tax installments will result in an estimate penalty calculated from the due date of each installment until paid, or until the original due date of the tax return, whichever is earlier. See General Information F, Exceptions to the Estimate Penalty, and use form FTB 5806, Underpayment of Estimated Tax by Corporations, to determine if an exception to a penalty exists and to figure the penalty.

California does not conform to federal law regarding the application of the underpayment penalty. For federal purposes, the application of the penalty is based on the lesser of prior year or current year tax; while for California purposes, the application of the penalty is based on current year tax only.

Minimum Franchise Tax

To avoid the imposition of an estimate penalty, a corporation subject to franchise tax must pay at least the minimum franchise tax shown below, whether the corporation is active, inactive, operates at a loss. or files a tax return for a short period.

- Corporations subject to franchise tax.....\$800
- Qualified inactive gold or

A combined group filing a single tax return must pay at least the minimum franchise tax for each corporation in the group that is subject to franchise

Newly Formed or Qualified Corporations

For the first taxable year, calculate the estimate installments based on annualized current year income to avoid an estimate penalty

There is no minimum franchise tax for:

- Corporations that are subject only to income tax if they are not "doing business" in California, and are not incorporated or qualified under the laws of California, but derive income from sources within California. Get FTB Pub. 1050, Application and Interpretation of Public Law 86-272; FTB Pub. 1060, Guide for Corporations Starting Business in California; or FTB Pub. 1063, California Corporation Tax Law - A Guide for Corporations, for more information regarding "doing business"
- Credit unions.
- Exempt organizations.
- Corporations that are not incorporated under the laws of California and whose sole activities in California are engaging in convention and trade show activities for seven or fewer days during a taxable year and that do not derive more than \$10,000 of gross income reportable to California during a taxable year. Get FTB Pub. 1060 for more

Exceptions to the Estimate Penalty

If the estimated tax paid is equal to or greater than the amount defined in General Information D. Underpayment or Late Payment, the FTB will not assess an estimate penalty. If an underpayment exists, the FTB will not assess the estimate penalty if the corporation meets any one of the following exceptions.

The following exceptions do not apply if the estimated tax installments due are not paid on or before the installment due date.

Worksheet I — Exception A - Prior year's tax

This exception applies if the amount paid or credited on or before the installment due date equals or exceeds the tax shown on the preceding year's return for a 12-month period, prorated to each installment.

Newly formed or qualified corporations

Since the minimum franchise tax is no longer prepaid to the California Secretary of State, the prior year's tax exception does not apply for the first taxable year. For the second taxable year, the prior year tax exception does not apply if no tax liability existed in the first taxable year, or the business operated for less than twelve full months.

If the corporation uses the annualized current year income method or the annualized seasonal income method, see Worksheets II, III, and IV.

Line 1 - Taxable income

Enter the amount of taxable income expected for the current taxable year.

Line 7 - Other taxes

R&TC Section 19023 defines tax, for purposes of California estimate payments, to include alternative minimum tax, S corporation taxes from Schedule D and from the excess net passive income, the QSub annual tax, credit recapture, and the minimum franchise tax. Enter applicable amounts for each payment period.

Line 11 – A large corporation is any corporation, including a predecessor corporation, that had California net income (computed without regard to the net operating loss deduction) of \$1 million or more for any taxable year during the three taxable years immediately preceding the current taxable year.

Large corporations may use this exception for only the first estimated tax installment and must add any reduction in the first estimated tax installment to the second installment.

If the annualized current year income method or annualized seasonal income method is not used for the third or fourth installment, follow the instructions below to figure the amounts to enter on line 11 of Worksheet I.

- If line 8 is smaller than line 9, multiply line 8 (total tax) by the applicable percentage (25%, 50%, 75%, or 100%) shown for each guarter at the top of column (1) through column (4). Enter the result for each quarter on line 11.
- If line 9 is smaller than line 8, determine the amount to enter as follows:
 - (a) Enter 25% of line 9 in column (1) of line 11. (b) Enter 50% of line 8 in column (2) of line 11.

 - (c) Enter 75% of line 8 in column (3) of line 11.
 - (d) Enter 100% of line 8 in column (4) of line 11.

Line 12 – Total payment

Enter the total payments of estimated tax for the taxable year up to the due date of the installment. Include any overpayments from 2008 tax that were credited to 2009 estimated tax.

Worksheet II — Exception B – Annualized current year income

This exception applies if the estimated tax paid on or before the installment due date equals or exceeds 100% of the amount the corporation would owe if its estimated tax was computed on annualized current net income for tax purposes for the months. preceding the installment due date.

Line 1 - Annualization periods

Enter the number of months that the corporation is using in the annualization period based on the options listed in the table below. For example, if the corporation elects Option 1, enter the annualization periods 2, 4, 7, and 10 in column (1) through column (4).

Annualization Periods

Installment	1st	2nd	3rd	4th	
Standard Option	3	3	6	9	
Option 1	2	4	7	10	
Option 2	3	5	8	11	

Corporations may use the Standard Option or must make an election to use Option 1 or Option 2. Exempt organizations may use Option 1 (the standard option for exempt organizations) or must make an election to use Option 2. The election must be made on or before the due date of the first required installment payment. The corporation must make a timely election to use an expanded option even if it uses another method, such as Exception A, for its first installment. To make a California election, file federal Form 8842. Election To Use Different Annualization Periods for Corporate Estimated Tax, OR if a timely

election was made for federal purposes by filing the federal Form 8842, and the corporation is using the same option for state purposes, attach a copy of the federal form to the corporation's tax return when filed. Once made, an election is irrevocable for the taxable year. The corporation should file federal Form 8842 with its first installment payment. If the corporation must pay its tax liability using EFT, file federal Form 8842 on or before the due date of the first installment payment by mailing to:

FRANCHISE TAX BOARD PO BOX 942857 **SACRAMENTO CA 94257-0531**

Line 3 – Annualization amounts

Enter the annualization amounts from the table below for the elected option. For example, if the corporation elects Option 1, enter on line 3 the annualization amounts 6, 3, 1.71429, and 1.2, in column (1) through column (4), respectively.

Annualization Amounts

Installment	1st	2nd	3rd	4th
Standard Option	4	4	2	1.33333
Option 1	6	3	1.71429	1.2
Option 2	4	2.4	1.5	1.09091

Line 8 - Other taxes

R&TC Section 19023 defines tax, for purposes of California estimate payments, to include alternative minimum tax. S corporation taxes from Schedule D and from the excess net passive income, the QSub annual tax, credit recapture, and the minimum franchise tax. Enter applicable amounts for each payment period.

Line 12 - Total payment

Enter the total payments of estimated tax for the taxable year up to the due date of the installment. Include any overpayments from 2008 tax that were credited to 2009 estimated tax.

Worksheet III — Exception C - Annualized seasonal income

This exception applies if the estimated tax paid on or before the installment due date equals or exceeds 100% of the amount the corporation would owe if its estimated tax was computed on annualized seasonal net income for tax purposes for the months preceding the installment due date. Use Exception C only if the corporation's base period percentage for any six consecutive months of the taxable year equals or exceeds 70%. Refer to the federal instructions for Form 1120-W, Part I, Adjusted Seasonal Installment Method, for an explanation on how to compute the base period percentage.

Line 32 - Other taxes

R&TC Section 19023 defines tax, for purposes of California estimate payments, to include alternative minimum tax, S corporation taxes from Schedule D (100S) and from the excess net passive income, the QSub annual tax, credit recapture, and the minimum franchise tax. Enter applicable amounts for each payment period.

Line 34 - Total payments

Enter the total payments of estimated tax for the taxable year up to the due date of the installment. Include any overpayments from 2008 tax that were credited to 2009 estimated tax.

Revised Estimates

Corporations may revise the estimated tax any time during the taxable year. If the corporation revises the estimated tax, compute the amount of each remaining installment (if any) by doing the following:

- Subtracting from the revised estimated tax, the total estimated tax previously paid.
- Dividing the result by the number of installments remaining as of the date the revision is made.

	Computation of Est	imate	d Tax			
Wor	ksheet I Exception A — Prior Year's Tax					
1	Taxable income expected during this taxable year				1	
2	R&TC Section 23802(e) deduction, S corporations only				2	
3	Net income. Subtract line 2 from line 1					
4	Tax. Multiply line 3 by the current tax rate. See General Information C $\ldots \ldots$					
5	Tax credits					
6	Subtract line 5 from line 4. (Not less than minimum tax, if applicable.)					
7	Other taxes. See instructions.					
8	Total tax. Add line 6 and line 7					
9	Enter the tax shown on the corporation's 2008 tax return					
10	Enter the smaller of line 8 or line 9				10	
	(1) 2	25%	(2)	50%	(3) 75%	(4) 100%
11		than min.)	(-/	,		(1)
• • •	column 4. Large corporations, see instructions					
	Solution in Educations, soo modulations					
12	Total payment. See instructions					
13	Subtract line 12 from line 11. If zero or less, enter -0					
Larg	e corporations: To meet the exception by paying prior year's tax for the first estim	ate instal	Iment and	paying the reductio	n in the first estim	ate installment
	the second estimate installment, the corporation must have paid the amounts in li	ne 11, co	lumn (1) a	nd column (2).		
Wor	ksheet II Exception B — Annualized Current Year Income		(1)	(2)	(3)	(4)
1	Annualization periods. See instructions					
2	Enter taxable income for each annualization period)		
3	Annualization amounts. See instructions					
4	a Annualized taxable income. Multiply line 2 by line 3					
	b R&TC Section 23802(e) deduction, S corporations only					
_	c Net income. Subtract line 4b from line 4a					
_	Tax. Multiply line 4c by the current tax rate					_
6	Tax credits for each payment period.			•		
8	Subtract line 6 from line 5. (Not less than minimum tax, if applicable.) Other taxes. See instructions					
9	Total tax. Add line 7 and line 8					
10	Applicable percentage.		25%	50%	75%	100%
11	Multiply line 9 by line 10.					
	Total payments. See instructions					
13	Annualized current year income installments. Subtract line 12 from line 11.					
	If zero or less, enter -0					
	ksheet III Exception C — Annualized Seasonal Income		(1)	(2)	(3)	(4)
(Use	this method only if the base period percentage for any six consecutive months		First 3	First 5	First 8	First 11
	t least 70%. See instructions.)		months	months	months	months
14	Enter the taxable income for the following periods:					
	a Taxable year beginning in 2006					
	b Taxable year beginning in 2007					
15	c Taxable year beginning in 2008					
10	Litter taxable income for each period for the taxable year beginning in 2009		First 4	First 6	First 9	Entire year
16	Enter the taxable income for the following periods:		months	months	months	Entilo you
	a Taxable year beginning in 2006					
	b Taxable year beginning in 2007					
	c Taxable year beginning in 2008.	I .				
17	Divide the amount in each column on line 14a by the amount in column (4)					
	on line 16a					
18	Divide the amount in each column on line 14b by the amount in column (4)					

Work	sheet III Exception C — Annualized Seasonal Income (continued)	(1)	(2)	(3)	(4)
19	Divide the amount in each column on line 14c by the amount				
	in column (4) on line 16c				
20	Add line 17 through line 19				
21	Divide line 20 by 3				
22	a Divide line 15 by line 21				
	b R&TC Section 23802(e) deduction, S corporations only				
	c Net income. Subtract line 22b from line 22a				
23	Tax. Multiply line 22c by the current tax rate				
24	Divide the amount in column (1) through column (3) on line 16a by the				
	amount in column (4) on line 16a				
25	Divide the amount in column (1) through column (3) on line 16b by the				
	amount in column (4) on line 16b				
26	Divide the amount in column (1) through column (3) on line 16c by the				
	amount in column (4) on line 16c				
27	Add line 24 through line 26				
	Divide line 27 by 3				
29	Multiply the amount in column (1) through column (3) of line 23 by the				
	amount in the corresponding column of line 28. In column (4), enter the				
	amount from line 23, column (4)				
30	Tax credit for each payment period				
31	Subtract line 30 from line 29. (Not less than minimum tax, if applicable.)				
32	Other taxes. See instructions				
33	Total tax. Add line 31 and line 32				
34	Total payments. See instructions				
35	Adjusted seasonal installments. Subtract line 34 from line 33. If zero or less,				
	enter -0				
Work	sheet IV — Required Installments	(1)	(2)	(3)	(4)
36	If only Worksheet II, Exception B or Worksheet III, Exception C are completed				
	enter the amount in each column from line 13 or line 35. If both Worksheet II				
	and Worksheet III are completed, enter the smaller of the amounts in each				
	column from line 13 or line 35				
37	Enter the amount from Worksheet I, line 13				
38	Required installments. Enter the smaller of line 36 or line 37 here and				
	on the appropriate form for each installment payment				

Accounting Period Less Than	2 Months (Short	Period) — Fiscal year	corporations,	adjust dates accordingly.
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	Number of	Percentage of Estimated Tax Due On or Before*			
If taxable year (calendar year) begins:	Installments Due	April 15	June 15	September 15	December 15
January 1 through January 16	4	25%	50%	75%	100%
January 17 through March 16	3		33 1/3%	66 2/3%	100%
March 17 through June 15	2			50%	100%
June 16 through September 15	1				100%
September 16 through December 31	None				

^{*}When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.